



MANDATORY ORGANICS RECYCLING ORDINANCE

Overview of SB 1383's Organic Waste Reduction Requirements

NREC Meeting January 26th, 2021



SB 1383

- The “Short-lived Climate Pollutant Reduction Act of 2016” requires CalRecycle to develop regulations to reduce organics in landfills as a methane source.
 - Requires Jurisdictions such as the city of South Pasadena to have an enforceable mechanism in place by January 1st 2022, and begin enforcement by January 1st 2024.
 - CalRecycle has published a Model Ordinance for jurisdictions to adopt and implement to ensure compliance with SB1383, which is the basis for the current draft.
 - SB1383 aims to change the way organics are managed and works to reduce organic waste by mandating food donations, creating recycled product demand, and enforcing organics diversion from landfills.



Summary of Ordinance Sections

- Section 1
 - Purpose and Findings
 - Summary of relevant recycling laws that built up to SB 1383, including AB 939, AB 341, AB 1826.
 - This section will need to be reviewed by the Planning & Building Department
- Section 2
 - Title of Ordinance
 - “Mandatory Organic Waste Disposal Reduction Ordinance.”
- Section 3
 - Definitions
 - List of terms defined for use within the ordinance.
 - This list is primarily verbiage directly from SB1383, or the Model ordinance developed by Cal Recycle.



Summary of Ordinance Sections

- Section 4
 - Requirements for Single-Family Generators
 - Requires Single-Family generators to subscribe to an appropriate level of service for their waste generated.
 - Requires Single-family generators to source separate green waste and food scraps into the green container, and all other waste into the grey container.
 - Changes to Franchise agreement with Athens would result in major changes to this section.



Summary of Ordinance Sections

- Section 5
 - Requirements for Commercial Businesses
 - Requires Commercial Businesses to subscribe to an appropriate level of service for their waste generated.
 - Requires commercial businesses to source separated green waste and food scraps into the green container, and all other waste into the grey container.
 - Requires Commercial Businesses to have containers follow city color conventions and labeled to show allowed materials in each container.
 - Requires commercial business to provide education to employees or tenants that describes requirements to keep Source Separated Green Container Organic Waste separate from Gray Container Waste.
 - Allows the city to conduct contamination inspections.
 - **Changes to Franchise agreement with Athens would result in major changes to this section.**



Summary of Ordinance Sections

- Section 6
 - Waivers for Generators
 - Allows the city to grant De Minimis waivers and Physical Space Waivers on a case-by-case basis and sets requirements for documentation and applying for waivers.
 - **This section will need to be reviewed by the City and Athens Services.**
- Section 7
 - Requirements For Commercial Edible Food Generators
 - Requires edible food generators to recover the maximum amount of edible food that would otherwise enter the waste stream.
 - Requires generators to enter into a written agreement with an edible food recovery organization.
 - Requires record-keeping of donations and agreements.



Summary of Ordinance Sections

- Section 8
 - Requirements for Food Recovery Organizations and Services
 - Sets record keeping and reporting requirements for food recovery organizations.
 - Requires organizations to submit a timely response to city efforts to conduct Food Recovery Capacity Planning.
 - This section will need to be reviewed by City staff to determine a reporting date.



Summary of Ordinance Sections

- Section 9
 - Requirements For Haulers And Facility Operators
 - Requires haulers who provide the Organic waste collection services to transport green container waste to a facility, operation, activity, or property that recovers Organic Waste as defined in 14 CCR, Division 7, Chapter 12, Article 2
 - Requires hauler that collects Organic Waste to comply with education, equipment, signage, container labeling, container color, contamination monitoring, reporting, and other requirements contained within its franchise agreement, permit, license, or other agreement entered into with City.
 - Requires facilities to reply promptly to city requests for information regarding capacity planning, facility operations, and activities.



Summary of Ordinance Sections

- Section 10
 - Self-hauler Requirements
 - Requires self haulers to source separate organic waste and transport waste to an appropriate recovery facility.
 - Sets record keeping requirements for Commercial self haulers.
 - **This section will need to be reviewed by the City and Athens Services.**
- Section 11
 - Compliance With Calgreen Recycling Requirements
 - Requires new construction to follow CALgreen
 - **This section will need to be reviewed by the Planning & Building Department**



Summary of Ordinance Sections

- Section 12
 - Model Water efficient Landscaping Ordinance requirements
 - Requires new construction with a landscape of 500sqft or more and rehabilitations of landscapes over 2500sqft to comply with the Model Water efficient Landscaping Ordinance requirements.
 - This section will need to be reviewed by the Planning & Building Department.



Summary of Ordinance Sections

- Section 13
 - Procurement Requirements For City Departments, Direct Service Providers, And Vendors.
 - Requires the City and its direct service providers to provide Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper when with-in a set percent of the cost of non-recycled options.
 - Requires vendors to provide a written statement to the city stating the amount of Recycled-Content in the products sold.
 - Requires the city to keep a record of purchases under these procurement policies.
 - **This section will need to be reviewed by the Finance Department.**



Summary of Ordinance Sections

- Section 14
 - Inspections and Investigations by the City
 - Sets requirement for entities regulated by this ordinance to comply with random or as needed inspections by the City or its designee.
- Section 15
 - Allows the City or its designated entity to assess penalties for violations of this ordinance.
 - Sets forth penalty amounts, factors considered appeals process and list of violations.
 - **This section will need to be reviewed by the City and Athens Services.**
- Section 16
 - Effective date
 - No later than January 1st, 2022